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EXAMINER	
JOO, JOSHUA	

ART UNIT	PAPER NUMBER
2445	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/673,156	DOBBINS ET AL.	
	Examiner	Art Unit	
	JOSHUA JOO	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *2-4 and 7-26* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *2-4 and 7-26* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☒ The drawing(s) filed on *30 May 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

This Office action is in response to Applicant's communication filed on September 29, 2011.

Claims 2-4, 7-26 are pending in the application.

Response to Arguments/Remarks

Claim Rejections - 35 USC § 103

Applicant's arguments filed September 29, 2011 have been fully considered but they are not persuasive. Applicant argued that:

(1) Each of the claims has been amended to clarify that a client node indicates selection of the content. This content is published by an entity that is authorized to distribute the content. The content or electronic data are then transmitted to the client node. This tag is then authenticated in the network to determine the type of service accorded. Nevertheless, the content tag is discrete from the content in the content file transmission.

In response, Moskowitz, US Publication No. 2003/0200439 (Moskowitz), in view of Menon et al. US Publication No. 2008/0215747 (Menon hereinafter) and Shieh, US Publication No. 2002/0184510 (Shieh hereinafter) still teach the claimed invention. Moskovitz discloses,

> "When a receiver requests a data object from a sender, the sender creates a packet flow with the receiver's address and sends it out into the Internet. The packets may make many hops before arriving at the receiver's IP address." (Paragraph 0026).

Moskovitz teaches a sender that receives a request for a data object from a sender and sends the data object, which teaches of a client node indicating selection of content that is published by an entity. Menon further teaches of a receiving a request for content that is published by an entity that is authorized to distribute content (Paragraphs 0054, 0086). Moskovitz and Menon teach the limitation of "a client node indicating selection of the content that is published by an authorized entity that is authorized to distribute the content".

Moskovitz discloses,

> "In particular, the stream of data may be organized into a plurality of packets, and the sender may add a watermark to the header of each packet comprising the stream. The size of the watermark may vary, but for illustration, a 32-bit watermark is used." (Paragraph 0030)

> "The 32-bit watermark, or a portion thereof, may act as an identifier. No particular format is required for the watermark, and accordingly almost any format may be used. In the example illustrated, the 4MSBs are used for the QoS level, and the remaining 28 bits can be used to store a unique identifier." (Paragraph 0031)

Moskovitz discloses that the watermark that may act as an identifier indicting QoS level and may be in the header, which teaches that the watermark may be separate, i.e. discrete, from the content. The following references also disclose a content tag that indicates a quality of service for transmission of content.

Raisanen US Publication No. 2004/0125797
Jouppi et al. US Publication No. 2004/0109455
Chang et al. US Publication No. 2004/0095889
Walpole et al. US Publication No. 2003/0236904

Regarding the limitation of "determining whether at least part of the content file transmission should be accorded a predetermined type of transmission service by contacting an authentication system", Moskovitz discloses,

> "Each router along the path of the flow can read the watermark and determine its QoS by using those bits associated with the QoS indicator (in this case, the 4 MSB's of the watermark). Each router can then take appropriate action for prioritizing or deprioritizing each packet. These actions might include: choosing a path based on load, reliability, or latency, or buffering lower priority packets for later delivery" (Paragraph 0044)

Moskovitz teaches of nodes such as routers determining whether to perform QoS actions on packets, which teaches determining whether at least part of the content file transmission should be accorded a predetermined type of transmission service. Moskovitz teaches of the determining but not based on contacting an authentication system. Shieh teaches,

> "The framework (300) can be used for policy-based admission control, in which a policy control function ["PCF"] (353) makes decisions in regard to network-based IP policy using policy information and rules. Policy information elements include, for example, addresses and authorized QoS for the IP flows of a session." (Paragraph 0036)

> "For the policy information, for example, the P-CSCF/PCF uses an SDP description of a session to calculate authentication for the session, including restrictions on IP resources, IP packet flows, and (potentially) IP destinations" (Paragraph 0069).
>
> "In order to allow QoS and policy information to be "pulled" from the PCF, the authorization token may also allow the GGSN to determine the address of the PCF to be used." (Paragraph 0078)
>
> "The GGSN receives (620) the PDP context request and processes the PDP context request. For example, the GGSN identifies (630) the IP media flow(s) associated with the PDP context bearer using the included binding information, queries (640) the PCF for the policy information to apply to the IP media flow(s) identified by the binding information, and uses received policy information associated with the IP media flow(s) to authorize (650) the bearer, if appropriate in view of the policy information." (Paragraph 0079)

Shieh teaches of a contacting an authentication system to determine QoS and policy to apply to media flows. Therefore, the Moskovitz and Shieh teach of "determining whether at least part of the content file transmission should be accorded a predetermined type of transmission service by contacting an authentication system".

(2) QoS requirements in the Menon metadata are different from that claimed. In the claim, content is transported across the network as dictated by the content tag. QoS requirements of the Menon refer to the video quality itself.

In response, Moskovitz is applied to teach of a type of transmission service for transporting content across as dictated by a content tag. Moskovitz teaches that one or more nodes along a path reads the watermark and determines a corresponding QoS to perform an action, which includes choosing a path based on load, reliability, latency, or buffering (Paragraph 0044). Furthermore, Menon teaches that QoS requirements would identify "other Internet type quality of service criteria as known in the art" (Paragraph 006).

Claim Objections

Claims 21-26 are objected to because of the following informalities:

a) Regarding claim 21, the claim recites "distribute by and authorized entity". "and authorized entity" should be changed to "an" or "the" authorized entity.

b) Regarding claim 21, "the determined type of service" should be changed to "the determined type of transmission service".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-4, 7-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) Regarding claim 2, "the owner of the content" has insufficient antecedent basis.

b) Regarding claim 21, the claim recites "transmitting electronic data" and "selection of electronic data". It is unclear which electronic data "the electronic data" is referring to in the claim.

c) Regarding claim 21, the limitation of "from the content the electronic data" is not clear.

d) Regarding claim 21, the claim recites "distributed by and authorized entity", which is not clear. If "and authorized entity' is treated as a grammatical mistake and considered as "an authorized entity", it is unclear as to which authorized entity "the authorized entity" is referring to in the claim as the claim also recites "an authorized entity" in "an authorized entity that is authorized to distribute the electronic data".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

> such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4, 7-15, 17-18, 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moskowitz in view of Menon and Shieh.

As per claim 2, Moskowitz teaches substantially the invention as claimed including a method of enabling preferred transport by coupling a content tag with content contained in a content file transmission, the method comprising:

a client node indicating selection of the content that is published by an entity (Paragraph 0026. Receiver sends a request for content to the sender.);

associating the content tag indicating a type of service in accordance with content of the content file transmission, wherein the content tag is created and associated with the content file transmission at a location where the content file transmission is distributed by the entity, wherein the content tag is discrete from the content in the content file transmission (Paragraphs 0027, 0030. Sender may add watermark to data packet/stream. Watermark may be added to headers of packets.);

receiving the content tag for content file transmission into a network from the entity;

reading the content tag, which was associated with the content file, in an instance of a network transmission (Paragraph 0044. Read watermark.);

determining whether at least part of the content file transmission should be accorded a predetermined type of transmission service (Paragraph 0044. Determine QoS for the flow.);

generating flow information for the content file transmission, the flow information including information specifying the type of service indicated in the content tag (Paragraphs 0026, 0044. Take actions to provide QoS, e.g. chose path based on load, reliability, or latency.); and

transmitting at least part of the content file transmission according to the type of service specified by the flow information over the network from the entity to the client node, wherein if the content tag

indicates that at least part of the content file transmission should be accorded a predetermined type of transmission service, transmitting the at least part of the content file transmission with a preferred type of service, and if the content tag does not indicate that at least part of the content file transmission should be accorded a predetermined type of transmission service, transmitting the content file transmission with a standard type of service (Paragraph 0026. Send requested data to receiver's address. Paragraphs 0012, 0044-0045. Send packet with associated QoS based on watermark and authenticity. Paragraph 0034. Watermark may not contain a QoS indicator.).

Moskowitz does not specifically teach that the entity is an authorized entity that is authorized to distribute the content. Moskowitz teaches of associating the content tag with the content file transmission but not by the owner of the content, in an instance of network transmission from the owner of the content to the client node. Moskowitz teaches of determining whether content file transmission should be according a type of transmission service but not specifically by contacting an authentication system. Moskowitz teaches of generating flow information but not in response to successful authentication by the authentication system.

Menon teaches of an authorized entity that is authorized to distribute content and associating a content tag indicating a type of service with content of content file transmission by the owner of the content in an instance of network transmission from the owner of the content to the client node (Paragraphs 0058, 0060, 0069).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the entity as disclosed by Moskowitz to be an authorized entity that is authorized to distribute the content and associate a content tag indicating a type of service with content of content file transmission by the owner of the content in an instance of network transmission from the owner of the content to the client node as disclosed by Menon. The motivation for the suggested combination is that Menon would provide protection of content through access rights to permit or prohibit

distribution of the content. Menon would also allow a creator of the content, who would be knowledgeable about the content, to set quality of service that must be assured for the content to be served.

Shieh teaches of contacting an authentication system to determine whether content should be accorded a type of transmission service and generating flow information in response to successful authentication by the authentication system (Paragraphs 0038, 0069, 0078-0079).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to contact an authentication system to determine whether content should be accorded a type of transmission service and generate flow information in response to successful authentication by the authentication system as disclosed by Shieh. The motivation for the suggested combination is that Shieh would improve Moskowitz by providing policy control and enforcement. Shieh would also enable resource authorization and allocation on basis of individual media flows on a session (Paragraphs 0036, 0042, 0051)

As per claim 21, Moskowitz teaches substantially the invention as claimed including a method of inserting a content identifier and transmitting electronic data, the method including:

a client node indicating selection of electronic data that is published by an entity (Paragraph 0026. Receiver sends a request for content to the sender.);

inserting the content identifier in the electronic data at a location at which content is distributed by an entity, wherein the content identifier is discrete from the content the electronic data (Paragraphs 0027, 0030. Sender may add watermark to data packet/stream. Watermark may be added to headers of packets.);

receiving the electronic data with the content identifier into a network;

reading the content identifier, which was associated with the electronic data by the entity, in an instance of a network transmission (Paragraph 0044. Read watermark);

determining whether at least part of the electronic data should be accorded a predetermined type of transmission service (Paragraphs 0012, 0044. Identify QoS indictor.);

determining a type of transmission service to accord the electronic data based on information in the content identifier (Paragraph 0044. Prioritize each packet, choose path based on load, latency, etc…);

transmitting at least part of the electronic data according to the determined type of service over the network from the entity to the client node, wherein if the content identifier indicates that at least part of the electronic data should be accorded a predetermined type of transmission service, transmitting the at least part of the electronic data with a preferred type of service, and if the content identifier does not indicate that at least part of the electronic data should be accorded a predetermined type of transmission service, transmitting the electronic data with a standard type of service (Paragraph 0026. Send requested data to receiver's address. Paragraphs 0012, 0044-0045. Send packet with associated QoS based on watermark and authenticity. Paragraph 0034. Watermark may not contain a QoS indicator).

Moskowitz does not specifically teach that the entity is an authorized entity that is authorized to distribute the content. Moskowitz teaches of associating the content identifier with the electronic data but not by the authorized entity. Moskowitz teaches of determining whether content file transmission should be according a type of transmission service but not specifically by contacting an authentication system. Moskowitz teaches of transmitting the at least part of the electronic data with a preferred type of service but not if authentication was successful.

Menon teaches of an authorized entity that is authorized to distribute the content and associating a content tag indicating a type of service with content of content file transmission by the authorized entity (Paragraphs 0058, 0060, 0069).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the entity as disclosed by Moskowitz to be an authorized entity that is authorized to distribute the content and associate a content tag indicating a type of service with content of content file transmission by the authorized entity as disclosed by Menon. The motivation for the suggested combination is that Menon would provide protection of content through access rights to permit or prohibit distribution of the content. Menon would also allow a creator of the content, who would be knowledgeable about the content, to set quality of service that must be assured for the content to be served.

Shieh teaches of contacting an authentication system to determine whether content should be accorded a type of transmission service, determining a type of transmission service in response to successful authentication, and transmitting electronic data with a preferred type of service if authentication was successful (Paragraphs 0038, 0069, 0078-0079).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to contact an authentication system to determine whether electronic data should be accorded a predetermined type of service, determine a type of transmission service in response to successful authentication, and transmit electronic data with a preferred type of service if authentication was successful. The motivation for the suggested combination is that Shieh would improve Moskowitz by providing policy control and enforcement. Shieh's teachings would also enable resource authorization and allocation on basis of individual media flows on a session (Paragraphs 0036, 0042, 0051)

As per claim 3, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein the content file transmission is electronic data (Paragraphs 0026, 0030. Packet data, stream.).

As per claim 4, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein the content file transmission is media content (Paragraph 0030. Stream of data. Paragraph 0006. Stream audio or video.).

As per claim 7, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein the content tag enables control on distribution of the content file transmission by at least one selected from a group consisting of an owner of the content, a peer-to-peer network, and a service provider (Paragraph 0044. Control QoS. Paragraph 0045. Check watermark for authenticity.).

As per claim 8, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches the method further comprising: identifying a type of content in order to provide a specific transport service to differing types of content (Paragraph 0030. Classify stream for QoS. Paragraph 0034. Identify QoS.).

As per claim 9, Moskowitz, Menon, and Shieh teach the method according to claim 8. Moskowitz teaches wherein identifying a type of content includes: reading the content tag (Paragraph 0044. Read watermark.).

As per claim 10, Moskowitz, Menon, and Shieh teach the method according to claim 8. Moskowitz teaches wherein the specific transport service includes at least one selected from a group consisting of a predetermined amount of bandwidth, a quality of service, a transmission attribute, an amount of packet loss, and an amount of jitter (Paragraph 0044. Quality of service. Paragraph 0005. QoS includes priority of available bandwidth.).

As per claim 11, Moskowitz, Menon, and Shieh teach the method according to claim 10. Moskowitz teaches wherein the specific transport service is an amount of bandwidth (Paragraph 0044. Quality of service based on load and latency. Paragraph 0005. QoS includes priority of available bandwidth. Paragraph 0020. Verify bandwidth delivery.).

As per claim 12, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein associating the content tag with the content file transmission includes: associating a multi-element content tag with the content file transmission (Paragraphs 0030, 0035-36. Watermark to each packet. 32 bit watermark.).

As per claim 13, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein associating the content tag with the content includes: associating a content tag, wherein the content tag is configured such that the content tag is extendible while remaining machine readable (Paragraph 0030. Size of watermark may vary.).

As per claim 14, Moskowitz, Menon, and Shieh teach the method according to claim 13. Moskowitz teaches wherein the machine readable content tag includes at least one selected from a group consisting of electronic data and encoded data (Paragraph 0030. 32-bit watermark. Watermark contains QoS indicator.).

As per claim 15, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches the method comprising: authenticating the distribution allowed for the content file transmission, and authorizing only the allowed distribution for the content file transmission (Paragraph 0045. Flow permitted on path when content is authentic.).

As per claim 17, Moskowitz does not specifically teach the method according to claim 2, wherein determining whether at least part of the content file transmission should be accorded the predetermined type of transmission service by contacting the authentication system comprises contacting the authentication system at network address specified in the content tag.

Shieh teaches of determining whether at least part of a content file transmission should be accorded a predetermined type of transmission service by contacting an authentication system at network address specified in the content tag (Paragraphs 0038, 0069, 0078-0079).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to contact an authentication system at an address specified by the content tag. The motivation for the suggested combination is that Shieh would improve Moskowitz by providing policy control and enforcement. Shieh would also enable resource authorization and allocation on basis of individual media flows on a session (Paragraphs 0036, 0042, 0051)

As per claim 18, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein the client node is one selected from a group consisting of personal computer, a minicomputer, a microcomputer, a mainframe computer, a personal digital assistant, a hand-held device, a set-top box, a cellular telephone, an IP telephone, a videophone, a videogame machine, a television, and a personal video recorder (Paragraphs 0014, 0020, 106. Computer, phone.).

As per claim 20, Moskowitz, Menon, and Shieh teach the method according to claim 2. Moskowitz teaches wherein the content tag includes electronic bits of information identifying at least one selected from a group consisting of a type of service, a content class or type, an originator of the content, metadata with searchable descriptors, an authentication Uniform Resource Locator (URL) configured to

enable dynamic authentication, an association with a type of network service, and a content application (Paragraph 0034, 0044. Watermark identifies service type.).

As per claim 22, Moskowitz, Menon, and Shieh teach the method according to claim 21. Moskowitz teaches wherein transmitting the at least part of the electronic data includes: transmitting the electronic data over a network in which clients and servers are distributed (Paragraphs 0012, 0044. Transmit via routers) and Menon teaches of purchasing content for distribution (Paragraph 0058). Content may be purchased for distribution, which suggests storage by an entity other than the owner since an owner does not usually purchased its own data. And thus, it would have been obvious to one of ordinary skill in the art for an owner of the content to not own a server that stores the content. Furthermore, it would have been obvious to not to own servers so that each owner does not have the burden or responsibility to establish and configure a network and bear associated costs just to transmit data.

As per claim 23, Moskowitz, Menon, and Shieh teach the method according to claim 22. Moskowitz teaches wherein the electronic data is media content (Paragraph 0030. Stream of data. Paragraph 0006. Stream audio or video.).

As per claim 24, Moskowitz, Menon, and Shieh teach the method according to claim 23. Moskowitz teaches wherein the content identifier enables control on distribution of the media content by at least one selected from a group consisting of the content owner, the network, and a service provider (Paragraph 0044. Control QoS for flow. Paragraph 0045. Authenticate flow.).

As per claim 25, Moskowitz does not specifically the method according to claim 21, wherein determining whether at least part of the electronic data should be accorded the predetermined type of

transmission service by contacting the authentication system comprises contacting the authentication system at network address specified in the content identifier.

Shieh teaches of determining whether at least part of an electronic data should be accorded a predetermined type of transmission service by contacting an authentication system at network address specified in the content identifier (Paragraphs 0038, 0069, 0078-0079).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to contact an authentication system at an address specified by the content identifier. The motivation for the suggested combination is that Shieh would improve Moskowitz by providing policy control and enforcement. Shieh would also enable resource authorization and allocation on basis of individual media flows on a session (Paragraphs 0036, 0042, 0051)

As per claim 26, Moskowitz, Menon, and Shieh teach the method according to claim 21. Moskowitz teaches, wherein the client node is one selected from a group consisting of personal computer, a minicomputer, a microcomputer, a mainframe computer, a personal digital assistant, a hand-held device, a set-top box, a cellular telephone, an IP telephone, a videophone, a videogame machine, a television, and a personal video recorder (Paragraphs 0014, 0020, 106. Computer, phone.).

Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moskowitz, in view of Menon, Shieh, and Jennings et al, US Publication No. 2002/0099842 (Jennings hereinafter).

As per claim 16, Moskowitz does not specifically teach the method according to claim 15, wherein the distribution authorized includes geographic restrictions.

Jennings teaches of authorizing distribution using geographical restrictions (Paragraphs 0137-139).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the distribution authorized to include geographic restrictions. The motivation for the suggested combination is that Jennings would improve the suggested system by providing further control of content distribution (Paragraph 0039).

As per claim 19, Moskowitz, Menon, Shieh, and Jennings teach the method according to claim 16. Moskowitz further teaches wherein generating the flow information for the content file transmission further comprises: retrieving a transport profile corresponding to the content tag from at least one selected from a group consisting of an external database, a look up table, and a Uniform Resource Locator (URL) serving agent (Paragraph 0044. Identify QoS for bits associated with QoS indictor. Paragraph 0045. Compare watermark with WID table.).

Conclusion

Examiner has cited particular sections from the references that are applied to the claims. While the sections are cited for convenience and are representative of the teachings of the prior arts, other sections of the references may be relevant and applicable to the claims. It is respectfully requested that Applicant fully consider the references in their entirety when responding to the Office action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7:30AM to 4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272-2092. The fax phone number for the organization where this application or proceeding is assigned 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joshua Joo/
Primary Examiner, Art Unit 2445